

REMARKS/ARGUMENT IN RESPONSE TO RESTRICTION/ELECTION OF SPECIES

Claims 1-30 are currently pending in the application. Claims 1-30 are subject to Restriction and Election of Species. In this response, Applicants hereby elect, without traverse, to prosecute the claims of Group I (Claims 1-11 and 22-30) in the present application. Claims 12-21 are withdrawn as being directed to a non-elected invention in view of The Examiner's Restriction Requirement.

The Examiner has asserted that an election of species is required based on the mutually exclusive requirements of the embodiments of Figures 3 and 4. The Applicants respectfully submit that the requirement for an Election of Species requirement is in error because the mutually exclusive features must be determined from the claims. Figure 4 differs from Figure 3 in the placement of the inlet chamber and the presence of additional oxygen inlets in the combustion chamber. A careful review of the claim dependencies shows that none of the claims of Group I appear to be directed to the features associated with the differences between Figures 3 and 4. None of the claims of Group I are directed to a specific location of the inlet chamber. The recitation of *additional* oxygen inlets downstream of the burners does not render any claims mutually exclusive. In other words, Figures 3 and 4 are merely alternative embodiments whose different features are not mutually excluded by different claims. Thus, the Applicants respectfully request that the Election of Species requirement be withdrawn.

Nevertheless, Applicants elect to prosecute the species consistent with Figure 3 of the Application. With this in mind, the Applicants have reviewed the claims and determined that all claims of Group I read on Figure 3.

The Applicants also note that Claim 1 is generic to all claims of Group I. While the Examiner has indicated that Claim 22 is generic, the Applicants respectfully note that claim 22 includes each and every limitation of Claim 1. Thus, if Claim 1 is allowable claim 22 is allowable as a matter of law.

No new claims are added. Thus, this amendment includes no new matter.

CONCLUSION

Applicants have addressed all of the Examiner's rejections. Applicants believe that the claims are now in condition for allowance and respectfully request that the Examiner grant such an action. If any questions or issues remain, the resolution of which the Examiner feels will be advanced by a conference with the Applicants' attorney, the Examiner is invited to contact the attorney at the number noted below. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-3420, reference 24158243.009001 (RAbdon).

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Respectfully submitted,

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